ELECTION COMMISSION OF INDIA

ASHOKA ROAD,
New Delhi.

Dated the 10 February, 1978.

NOTIFICATION

No. 82/KT-LC/2/76(78).—In pursuance of section 111 of the Representation of the People Act, 1951, the Election Commission hereby publishes order dated the 17 January, 1978 of the High Court of Karnataka at Bangalore in Election Petition No. 2 of 1976.

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated the 17th day of January, 1978

BEFORE

The Hon'ble Mr. Justice K. BHIMIAH,

Election Petition No. 2 of 1976

H. T. Somasekhara Reddy,
S/o B. V. Thimmarayappa,
aged about 43 years, residing at No. 810,
2nd Stage, Indiranagar, Bangalore ... *Petitioner*

(*Vs*).

1. The Returning Officer-*cum*-the District Electoral Officer for the Bangalore Graduates's Constituency, Karnataka Legislative Council and the Deputy Commissioner, Bangalore.

2. V. S. Krishna Iyer, major,
residing at No. 23, (New No. 79),
Shankarapura, Bangalore-4.

3. Gundaiah Setty, major, No. 330,
Chandkula, 22nd Cross, 1st and
3rd East Block, Jayanagar,
Bangalore. ... *Respondents*

Whereas the petitioner filed the Election Petition under section 81 of the Representation of the People Act 1951 (Act No. 43 of 1951) on 19th July 1976, praying that the election of respondents 2 and 3 as members of the Karnataka Legislative Council from the Bangalore Graduates Constituency, 1976 held on 6th June 1976 be declared as void and to award costs.

And whereas the petitioner filed an application on 26th August 1977 under Section 109 and 110 of the Representation of People Act, 1951 for leave of the Court to withdraw his petition.

The above petition along with the application is coming on the hearing on to-day the 17th January, 1978 and the court made the following.

ORDER

As directed by the order dated 28th September 1977, the notice of withdrawal has been published in the Gazette dated November 10, 1977, no person has applied to be substituted as petitioner in the place of the party withdrawing. Therefore, application granted for withdrawal of the Election Petition has become final. Report the fact of withdrawal of Election Petition to the Election Commission as required under Sec. 111 of the Representation of the People Act, 1951.

The petitioner is permitted to withdraw the deposit made by him in connection with this Election Petition. The petition is dismissed as withdrawn.

Sd/-
K. Bhimiah,
Judge.

"COPY"

Sd/-
I Assistant Registrar.

By order,

V. NAGASUBRAMANIAN,
Secretary to the Election Commission of India.

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